

Committee Room.
Austin, Texas, February, 17, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. C. R. No. 13,

Have had the same under consideration and beg leave to report same back to the Senate with the recommendation that it do not pass, but that the attached substitute pass in lieu thereof.

BEE, Chairman.

By Committee. C. S. S. C. R. No. 13.

Whereas, Your Committee on Agriculture and Sub-Committee on Agriculture have found from testimony and hearings before them, that there is conflict, duplication and repeating in the work carried on by the Agricultural and Mechanical College, the University, the Extension Boards, the Department of Education, the Warehouse and Marketing Departments, and the Department of Agriculture; and,

Whereas, Said committee have found out from said hearings that there is friction existing among said institutions resulting from said duplicating and repeating of work; and,

Whereas, It appears that said institutions can not agree among themselves upon the functions and lines along which each should act so as not to interfere with, overlap and impede the progress of each other; be it

Resolved by the Senate, and the House concurring, That a joint committee of this Legislature composed of two Senators and three members of the House, be appointed by the President of the Senate and the Speaker of the House, to consider, investigate and determine, under the Constitution and laws of Texas, the distinct and specific fields of operation to be pursued by each of said institutions, so as to avoid and eliminate the duplicating and friction existing among said institutions, and that said committee be allowed sufficient time to minutely go into these matters and prescribe the exact sphere of each of said institutions to the end that this Legislature be requested to make appropriations for each institution in the sphere of ac-

tivity as prescribed by this committee only, and the duplicating, repeating and overlapping work done by said institutions may be entirely eliminated so that each shall perform certain specific acts and things as provided by law, and to the end that each institution may be strengthened in its own sphere of usefulness and an enormous amount of money saved to the tax payers of Texas.

THIRTY-SECOND DAY.

Senate Chamber,
Austin, Texas,
Monday, February 19, 1917.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hudspeth.
Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	McCollum.
Clark.	McNealus.
Dayton.	Parr.
Dean.	Robbins.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Sulter.
Harley.	Westbrook.
Henderson.	Woodward.
Hopkins.	

Absent.

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Absent—Excused.

Decherd.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator King.

Excused.

On motion of Senator Dean the following Senators were excused for non-attendance for last Saturday on account of important business:

Senators Buchanan of Bell, Clark, Hall, Harley, Hudspeth, King and Robbins.

Senator Page for today on account

of important business on motion of Senator Caldwell.

Petitions and Memorials.

See Appendix.

Committee Reports.

See Appendix.

Bills and Resolutions.

By Senator Hall:

S. B. No. 387, A bill to be entitled "An Act creating the Criminal District Court of Galveston County and defining the jurisdiction thereof; providing for a judge and clerk thereof and for their appointment and election; prescribing the duties of the County Attorney of Galveston County with respect thereto; prescribing the duties and emoluments of said officers and of the sheriff of said county in matters pertaining to said court and providing for the transfer of all cases and papers and records of the 'County Court of Galveston County at Law' and of all felony cases and the papers and records of all felony cases from the Tenth and the Fifty-sixth Judicial Districts to the Criminal District Court of Galveston County and repealing Section 17, of an Act entitled 'An Act to change the territorial limits of the Criminal Judicial District of Galveston and Harris counties so as to hereafter include Harris County alone and to establish and create within the limits of Harris County, Texas, a separate Criminal District Court for Harris County alone; to provide for the jurisdiction of and procedure in said court; to fix the terms of the Criminal District Court of Harris County; to provide for the election, qualification, duties, powers and compensation of a judge of said court, to provide for the election, qualification, powers and compensation of a clerk and district attorney for said court; to provide for appointment of assistants to the district attorney and deputy clerks, and to provide for their powers, duties and method of payment, abolishing the Criminal Court of Galveston and Harris Counties in so far as the same em-

braces the county of Galveston, and giving and restoring to the District and County Courts of Galveston County, jurisdiction of felony and misdemeanor cases, and providing for the transfer of cases from the Criminal District Court of Galveston County to the District and County courts of said county, and giving the Commissioners Court of Galveston County authority to employ special deputy county and district clerks, or both, and providing the county attorney and his assistants shall conduct in the District County Court and County Court at Law the prosecutions, and for the fees to be received by such county attorney for such services and providing for fees to be paid the county and district clerk and for the appointment of a special deputy county clerk, and for the payment for his services and providing the county attorney for Galveston County and his assistant, shall conduct all prosecutions in the District and County Courts and County Court at Law of Galveston County, and the fees to be received therefor and repealing all laws and parts of laws in conflict with this Act, and declaring an emergency.' Approved March 13, 1911, General Laws of the Thirty-second Legislature, Chapter 67 (Vernon Sayle's Civil Statutes, Art. 2201s) in so far as same pertains to Galveston County and repealing an Act entitled 'An Act to create the County Court of Galveston County at Law, to define the jurisdiction thereof; providing for a judge and clerk thereof, the appointment and election of said judge; the appointment of jury commissioners; fixing the salary and fee of the judge and clerk of said court and the seal to be used by said court; providing a prosecuting attorney for said court, and the fees to be received by him, and for the transfer of cases to said court; and conform the jurisdiction of the County Court of Galveston County and declaring an emergency.' Approved March 29, 1911, Special Laws of the Thirty-second Legislature, Chapter 104, and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senator Hall:

S. B. No. 388; A bill to be entitled "An Act to create the Wharton Independent School District in Wharton County, Texas, including the

present Wharton Independent School District, providing for a board of trustees in said Wharton Independent School District, conferring upon said district and its board of trustees all rights, powers, privileges and duties now conferred and imposed by the General Laws of Texas upon independent school districts and the board of trustees thereof, providing that the board of trustees of the present Wharton Independent School District shall be continued in office until the expiration of their respective terms, providing that the successors to the board of trustees of the present Wharton Independent School District shall be elected as provided by the General Laws of Texas for the election of trustees in independent school districts incorporated for school purposes only, providing that the passage of this Act shall not interfere with or invalidate an outstanding indebtedness of the present Wharton Independent School District, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Decherd:

S. B. No. 389, A bill to be entitled "An Act to incorporate the Calvert Independent School District, in Robertson County, Texas, for free school purposes only; defining its boundaries; divesting the city of Calvert of the control of its public free schools; and of its school property and vesting the same in said independent school district and its board of trustees; providing that all funds belonging or owing to said city schools inure to the benefit of said independent school district, and that all contracts made by the board of trustees of said city schools shall be carried out by the board of trustees of said independent school district, but that said district shall never be liable for any indebtedness of said city; providing for a board of trustees for said district and describing the rights, powers and duties of said Calvert Independent School District; and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Dayton:

S. B. No. 390, A bill to be entitled "An Act to amend an Act entitled 'An Act to provide for the establishment and maintenance of a State Training School upon the cottage plan for de-

pendent and delinquent girls of Texas, to locate same and provide for its control and management, and to make conditional appropriations, and to provide for private, county and city donations for its establishment and declaring an emergency,' which Act is known as Chapter 144 of the Acts of the Thirty-third Legislature and making it an offense to persuade, coerce or employ any inmate of such institution, or any home selected by the authorities thereof for any girl committed to such institution, to leave such institution or home, and making it an offense to aid, advise, encourage or furnish means for any inmate to escape from said institution or to aid or facilitate such escape, or to hide or conceal any inmate after she has escaped, and providing for punishment therefor."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Dayton:

S. B. No. 391, A bill to be entitled "An Act to amend Section (4) of an Act of the Thirty-second Legislature of Texas, passed at the Regular Session thereof, being 'An Act to amend the charter of the city of Gainesville by creating a Board of Water Commissioners for said city, to be appointed by said city council, and prescribing the powers and duties of such board, and declaring an emergency,' relating to the control and disposition of funds derived from the sale of water and repealing all laws in conflict herewith and declaring an emergency."

Read first time and referred to Committee on Towns and City Corporations.

By Senator Dayton:

S. B. No. 392, A bill to be entitled "An Act authorizing individuals, partnerships and corporations to exchange among themselves, by and through a duly appointed attorney in fact, reciprocal or inter-insurance contracts; providing indemnity against any loss which may be insured against in this State, excepting life insurance; providing certain conditions to be complied with precedent to the issuance of certificates of authority by the Commissioner of Insurance and Banking to any attorney, solicitor, agent or other representative of any such reciprocal or

inter-insurance exchange, and fixing a fee for such certificates; providing a bond to be filed with and approved by the Commissioner of Insurance and Banking, and requiring reports to be made of the business transacted by such reciprocal or inter-insurance exchanges; providing penalties for violation; repealing all laws and parts of laws in conflict therewith; and declaring an emergency."

Read first time and referred to Committee on Insurance and Banking.

By Senator Caldwell:

S. B. No. 393, A bill to be entitled "An Act to amend Article 5118, Title 75, Chapter 1, of the Revised Civil Statutes of Texas, of 1911, so as to exempt from jury service all persons employed as mail carriers on rural free delivery routes, established under and by virtue of the United States Postal Laws, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Caldwell:

S. B. No. 394, A bill to be entitled "An Act to amend Section 16, of Chapter 20, of Local and Special Laws of the Thirty-first Legislature (1909), approved March 8, 1909, entitled, 'An Act to create a more efficient road system for Lampasas County, Texas, and making the commissioners of said county ex officio road commissioners in their respective precincts; defining the powers and duties of the commissioners court with reference to roads and bridges; providing for the appointment of road overseers and defining their duties, and providing for and fixing their compensation for certain labor; providing penalties for the violation of this Act; giving persons subject to road duty in Lampasas County and persons summoned to work on the public roads of said county the right to be relieved from the discharge of such duty upon the payment of specific sums of money herein stipulated; and providing for the accounting and disposition to be made of the money so paid; providing that delinquent poll taxpayers shall be subject to three days road duty; requiring the tax collector of Lampasas County to furnish to the commissioners court a list of all persons who fail to pay their poll tax;

providing for the working of county convicts on the public roads of said county; providing for the compensation of road commissioners; providing for an election to be held in said county by the qualified taxpaying voters of said county on petition; to determine whether or not an additional ad valorem tax for road and bridge purposes shall be levied and collected in said county; also giving the commissioners court the power to establish, change, improve or discontinue public roads with or without petition and notice; and providing that this Act shall control in Lampasas County in all cases wherein it differs or is in conflict with the General Laws on the subject of roads and making this Act cumulative, and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Hall.

S. B. No. 395, A bill to be entitled "An Act to define and construe an act approved March 16, 1907, being Chapter 26 of the Special Laws of the Thirtieth Legislature, and amendments thereto, by an act approved September 1, 1910, being Chapter 1 of Special Laws of fourth session of Thirty-first Legislature, 1910, authorizing the County of Galveston, to build and construct a causeway and to issue bonds therefor; defining and construing the intention of said Acts to be that an issue of bonds and levy of tax by said county for such purpose can be made whenever said causeway needs reconstruction in whole or in part or needs repairs. Declaring the object and intent being to provide the State of Texas at all times with suitable access to the port of Galveston; and the further purpose of this Act is to validate an issue to be made of six hundred thousand dollars of bonds, a second issue for construction of the causeway lost in the storm of August, 1915, that issue of bonds being under the terms and provisions of said Act as amended, so as to authorize the issue of said bonds in conformity with the provisions of the Constitution of this State, including Article 3, Section 52; declaring an emergency."

Read first time and referred to the Committee on Towns and City Corporations.

By Senator Hudspeth:

S. B. No. 396, A bill to be entitled "An Act to validate titles to school land which has been purchased on condition of settlement and residence in cases where the purchaser made settlement thereon, as required by law, and before the expiration of three years from date of award, transferred the land but completed the occupancy and obtained a certificate of occupancy; and declaring an emergency."

Read first time and referred to the Committee on Public Lands and Land Office.

By Senator Hudspeth:

S. B. No. 397, A bill to be entitled "An Act to provide for the establishment, maintenance and government of a State Normal College, to be located at Alpine in Brewster County, Texas; to be known as the "Alpine State Normal College," and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Woodward:

S. B. No. 398, A bill to be entitled "An Act to amend Section 11, of Article 4443, Chapter 6, Title 65, Revised Civil Statutes of 1911, relating to the duties of the Commissioner of Agriculture and tax assessors, requiring them to take certain agricultural statistics upon blanks and forms to be furnished by the Commissioner of Agriculture; fixing the time and manner of taking such statistics; fixing the compensation; prescribing the time and manner of paying the same; fixing penalties for the failure of the assessors to comply with the provisions of this Act; and prescribing penalties on all persons, firms or corporations failing or refusing to give the information desired, when called on to do so by the tax assessor, or the Commissioner of Agriculture, or his authorized agents by adding thereto Sections 11a, 11b and 11c."

Read first time and referred to Committee on Agricultural Affairs.

By Senator Woodward:

S. B. No. 399, A bill to be entitled "An Act to amend Article 4965, Chapter 15, Title 71, of the Revised Statutes of the State of Texas, relating to the subject of insurance and prohibiting licensed insurance agents

from paying any consideration on account of policies of insurance in Texas, to others than resident licensed insurance agents in this State, so as to likewise prohibit insurance companies authorized to do business in this State from paying any consideration on account of policies of insurance issued upon property in Texas to others than licensed insurance agents within the State of Texas."

Read first time and referred to Committee on Insurance and Banking.

By Senator Bee:

S. B. No. 400, A bill to be entitled "An Act to amend Chapter 39 of the Acts of the Thirty-third Legislature, enacted March 29, 1913, creating county hospitals and authorizing the establishment of same, by adding thereto Sections 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, providing for a training school for nurses in connection with said county hospitals, and declaring an emergency."

Read first time and referred to Committee on Public Health.

Simple Resolution No. 86.

Whereas, That gifted and brilliant orator of Texas, the Hon. F. Charles Hume, Jr., a distinguished former member of the Texas Senate, is in the city; therefore, be it

Resolved, That he be invited to a seat in the Senate chamber and that he address the Senate.

Johnston of Harris, King, Hudspeth, Harley.

The resolution was read and adopted.

Ex-Senator Hume addressed the Senate briefly.

Morning call concluded.

Senate Bill No. 14.

(Special order.)

The Chair laid before the Senate, as special order for this hour, on second reading:

S. B. No. 14, A bill to be entitled "An Act to exempt from taxation all public securities issued after this Act takes effect."

Senator Dayton made the point of

order that the bill is unconstitutional.

The point of order was overruled.

Senator Suiter offered the following:

(1) Amend the printed bill, line 10, by striking out the words "after this Act takes effect," and changing the period in line 13 to a comma and adding thereafter the following: "from and after this Act takes effect."

SUITER,
FLOYD.

The amendment was read and adopted.

The bill was read second time and passed to engrossment by the following vote:

Yeas—14.

Alderdice.	Floyd.
Bailey.	Johnston of Harris.
Bee.	McNealus.
Buchanan of Bell.	Strickland.
Caldwell.	Suiter.
Clark.	Westbrook.
Decherd.	Woodward.

Nays—11.

Buchanan of Scurry.	Hudspeth.
Dayton.	King.
Dean.	Lattimore.
Gibson.	Parr.
Harley.	Robbins.
Hopkins.	

Absent.

Hall.	McCollum.
Henderson.	Page.
Johnson of Hall.	Smith.

Reasons for Vote.

I vote "no" on Senate Bill No. 14, for the reason I believe the provisions of said bill violate certain provisions of Sections 1 and 2 of Article 8 of the State Constitution.

BUCHANAN of Scurry.

Senate Bill No. 182.

(Special order.)

The Chair laid before the Senate as special order on its second reading:

S. B. No. 182, A bill to be entitled "An Act to further regulate the organization, supervision and control of State banks and bank and trust

companies incorporated under the general banking laws of the State of Texas; providing that amendments to charters of such corporations shall be filed in the office of the Commissioner of Insurance and Banking, and fixing fees for such service; providing an additional method for qualification of directors of such corporations by requiring such directors to take an oath defined therein, declaring it shall not be necessary to amend the charter of a banking corporation in order to increase or decrease its number of directors, and providing the method for such increase or decrease; making it an offense for any officer, director or employe of any State bank or banking corporation to demand or receive any consideration or commission on account of any loan or extension of credit made by such corporation; defining such an offense and prescribing the punishment therefor; amending Article 463 of the Revised Statutes of Texas, 1911, and prescribing certain duties of the Commissioner of Insurance and Banking in publishing the notice and advertisement calling on persons who have claims against a bank which has been placed in his hands to present the same within ninety days, and defining and describing the duties of the Commissioner with reference to such matters; fixing the salaries of the bank examiners and regulating their expenses; authorizing the commissioner to classify the examiners on his force in accordance with years of service; authorizing the Commissioner of Insurance and Banking to designate any one of his examiners as general liquidating agent for the purpose of liquidating banks in process of liquidation in this State; prescribing the duties of such general liquidating agent and the commissioner with reference thereto; fixing an additional salary of five hundred dollars per year for such general liquidating agent, and authorizing the commissioner to assess the salary of the general liquidating agent proportionately against the banks being liquidated by him; amending Revised Statutes of Texas, 1911, Article 574, so as to require all officers and employes of such banks who are active in the discharge of their duties or draw salaries to give bond; defining the terms of the bond; requiring

same to be filed with the Commissioner of Insurance and Banking, and regulating the form and provisions of said bond; amending Section 8, Chapter 3, of the General Laws passed by the Third Called Session of the Thirty-third Legislature of the State of Texas; fixing the amount of indebtedness which any one individual, corporation, company or firm may owe to any bank incorporated under the general banking laws of this State; providing exceptions to the general provisions of this Act; repealing all laws in conflict with this Act, and declaring an emergency."

Pending.

Recess.

At 12:10 o'clock p. m., on motion of Senator Clark, the Senate recessed until 2 o'clock today.

After Recess.

(Afternoon Session.)

The Senate was called to order by Lieutenant Governor Hobby.

Senate Bill No. 182.

(Pending.)

Action recurred upon Senate Bill No. 182, which had been read second time.

Senator Dayton offered the following amendment, which was read and adopted:

(1) Amend the printed bill in line 13, page 4, by striking out the word "forty-five" and insert in lieu thereof the word "sixty," and in line 16, page 4, strike out the word "forty-five" and insert in lieu thereof the word "sixty."

Senator Dean offered the following amendment:

Amend by striking out from line 6 of page 3 the words "and that the same is not hypothecated or pledged for debt."

Senator Lattimore offered the following substitute for the pending amendment:

Amend the bill, page 6, line 3, by inserting after the word "debt" the following: "Or if same be hypothe-

cated or pledged for debt, then the amount of such pledge and the name of the person who holds same."

Senator Gibson moved to table the substitute, which motion prevailed.

Senator McNealus moved to rescind the vote by which the substitute amendment was tabled.

The motion to rescind prevailed by the following vote:

Yeas—17.

Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Caldwell.	Lattimore.
Clark.	McCollum.
Decherd.	McNealus.
Gibson.	Parr.
Hall.	Smith.
Henderson.	Woodward.
Hopkins.	

Nays—5.

Alderdice.	Strickland.
Buchanan of Scurry.	Sulter.
Hudspeth.	

Present—Not Voting.

Dean.	Johnson of Hall.
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Absent.

Bailey.	Harley.
Dayton.	Robbins.
Floyd.	Westbrook.

Absent—Excused.

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Senator Gibson moved to table the pending substitute amendment.

The motion prevailed.

Action then recurred upon the amendment by Senator Dean, and Senator Gibson moved to table the same.

The motion to table prevailed by the following vote:

Yeas—14.

Buchanan of Scurry.	Johnston of Harris.
Clark.	King.
Decherd.	Lattimore.
Gibson.	McCollum.
Hopkins.	McNealus.
Hudspeth.	Sulter.
Johnson of Hall.	Woodward.

Nays—11.

Alderdice.	Dayton.
Bee.	Dean.
Buchanan of Bell.	Hall.
Caldwell.	Henderson.

Absent—Excused.

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Pair Recorded.

Senator Parr (present), who would vote no; Senator Decherd (absent), who would vote aye.

Senator Gibson moved that the constitutional rule requiring bills to be read on three several days be suspended and Senate Bill No. 182 put on its third reading and final passage.

As a substitute, Senator Hall moved that further consideration of the bill be postponed until next Wednesday, which motion was lost.

Action recurred upon the motion to suspend the constitutional rule, and the motion prevailed by the following vote:

Ayes—22.

Bee.	Hudspeth.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	Johnston of Harris.
Clark.	King.
Dayton.	Lattimore.
Dean.	McCollum.
Decherd.	Smith.
Floyd.	Strickland.
Harley.	Sulter.
Henderson.	Westbrook.
Hopkins.	Woodward.

Nays—5.

Alderdice.	Parr.
Hall.	Robbins.
McNealus.	

Present—Not Voting.

Buchanan of Bell.

Absent.

Bailey. Gibson.

Absent—Excused.

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Refusal to Adjourn.

At 5:20 o'clock p. m. Senator McNealus moved that the Senate adjourn until 10 o'clock tomorrow morning.

The motion was lost.

Senate Bill No. 182.

(Pending.)

Action recurred upon S. B. No. 182 and the same was laid before the Senate, read third time and passed by the following vote:

Yeas—17.

Bee.	Hudspeth.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	Johnston of Harris.
Clark.	King.
Dayton.	Lattimore.
Floyd.	McCollum.
Gibson.	Strickland.
Harley.	Woodward.
Henderson.	

Nays—10.

Alderdice.	McNealus.
Buchanan of Bell.	Robbins.
Dean.	Smith.
Hall.	Sulter.
Hopkins.	Westbrook.

Absent.

Bailey.

Absent—Excused.

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Pair Recorded.

Senator Parr (present), who would vote No; Senator Decherd (absent), who would vote Aye.

Senator Gibson moved to reconsider the vote by which S. B. No. 182 was passed and table the motion to reconsider.

The motion to table prevailed.

Simple Resolution No. 87.

(Recalling Senate Bill No. 34 from the House.)

By Senator Bee:

Resolved, by the Senate, That the House of Representatives be requested to return to the Senate S. B. No. 34 for the purpose of correcting a clerical omission in the engrossed bill.

The resolution was read and adopted.

Senate Bill No. 111 Set as Special Order.

By unanimous consent, and on request of Senator Dayton, S. B. No.

111 was set as a special order for next Wednesday at the conclusion of the morning call.

Message from the Governor.

A messenger from the Governor's office here appeared at the bar of the Senate and announced a message from the Governor.

The message, as follows, was laid before the Senate:

Governor's Office,
Austin, Texas, Feb. 19, 1917.

To the Honorable State Senate:

I ask the advice and consent of the Senate to the appointment of Hon. F. L. Hillyer, of Bexar County, to be a member of the Board of Managers of the Southwestern Insane Asylum at San Antonio, in place of Hon. William Cassin, deceased.

JAS. E. FERGUSON,
Governor of Texas.

Executive Session—Time Set.

Senator Caldwell moved that the Senate go into executive session at 2:30 o'clock tomorrow to consider the foregoing appointment.

The motion prevailed.

Bill Signed.

The Chair, Lieutenant Governor Hobby, gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following bill:

S. B. No. 61, A bill to be entitled "An Act to amend Article 3420, Chapter 18, of the Revised Statutes of the State of Texas of 1911, providing that no property encumbered by certain liens shall be set aside to the widow or children as exempt property, or appropriated to make up allowances in lieu of exempt property or for a year's support, until the debts secured by such liens are first discharged, and declaring an emergency."

House Bill No. 7.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

H. B. No. 7, A bill to be entitled "An Act to amend Article 7805, of Chapter 1, of Title 130, of the Revised Civil Statutes of 1911, relating to the issuance of permits to foreign corporations, and declaring an emergency."

On motion of Senator Hudspeth, the bill was laid on the table subject to call.

Senate Bill No. 317.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

S. B. No. 317, A bill to be entitled "An Act to authorize cities of over five thousand population to adopt or amend their charters by consolidation with an adjoining city in the same county under the name and government of the larger of said cities; authorizing the holding of joint elections by the qualified voters of said cities for the purpose of determining whether or not such consolidation shall take place; defining the term "consolidation"; providing that in event a majority of the qualified voters voting at such election in each of said cities shall vote in favor of consolidation the result shall be certified to the Secretary of State, and recorded by him, and providing for the recording of returns of such elections by the officers of the respective cities; providing that all property and assets of such cities shall become the property of the consolidated city, which shall assume all outstanding liabilities against the territory consolidated; providing that the officials of the larger of said cities shall be the officials of the consolidated city, and that the offices theretofore existing in the smaller cities be abolished by consolidation; providing that if such cities have on hand any bond funds voted for public improvements such money shall be used for the purposes and in the territory for and by which voted, and declaring an emergency."

Senator Lattimore offered the following amendment, which was read and adopted:

(1) Amend bill, line 1, Section 7, by striking out the word "cust" and inserting the word "such."

The bill was read second time and passed to engrossment.

On motion of Senator Johnston of

Harris, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 317 put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	McNealus.
Dean.	Parr.
Floyd.	Robbins.
Gibson.	Strickland.
Hall.	Suiter.
Harley.	Westbrook.
Henderson.	Woodward.
Hopkins.	

Absent.

Bailey.	McCollum.
Bee.	Smith.
Decherd.	

Absent—Excused.

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The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—24.

Alderdice.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	McNealus.
Dean.	Parr.
Floyd.	Robbins.
Gibson.	Strickland.
Hall.	Suiter.
Harley.	Westbrook.
Henderson.	Woodward.

Absent.

Bailey.	Hopkins.
Bee.	McCollum.
Decherd.	Smith.

Absent—Excused.

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Message from the House.

Hall of the House of Representatives.
Austin, Texas, Feb. 19, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House

to inform the Senate that the House grants the request of the Senate for the return of S. B. No. 34 for correction.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Bills and Resolutions.

(By unanimous consent.)

By Senator Strickland:

S. B. No. 401, A bill to be entitled "An Act to amend Article 4342, Chapter 2, Title 65, Revised Civil Statutes of the State of Texas, 1911, relating to deficiencies, providing that no deficiency shall be approved by the Governor or no warrant issued by the Comptroller for more than ten per cent of the appropriation made by the Legislature for such purpose or for such particular item in the appropriation bill, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Hudspeth:

S. B. No. 402, A bill to be entitled "An Act to validate all sales of public free school land, university land and asylum land which were made after forfeiture for non-payment of interest prior to the entry of such forfeiture on the account kept with the purchaser, and all sales of said land which were made upon applications filed prior to the cancellation of a former sale for the failure of the owner to reside on the land, and declaring an emergency."

Read first time and referred to Committee on Public Lands and Land Office.

Senate Bill No. 376.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

S. B. No. 376, A bill to be entitled "An Act to amend Sections 7, 9 and 38 and add a new section thereto to be known as Section 42a, and extending the provisions of said Act to the counties of McMullen and Atascosa, of Chapter 49 of the General Laws of the State of Texas for the year 1901, entitled 'An Act to create a more efficient road system for Fayette, Uvalde and Frio Counties,

Texas, and making the county commissioners of said counties ex officio road commissioners, and prescribing their duties as such and providing for their compensation as such road commissioners; and providing for working of county convicts upon the public roads of said counties, and providing for a reward to be offered for the recapture of an escaped county convict, and taxing said reward and all actual costs of capture and delivery of said convict against said convict, and providing for a penalty for the escape of a county convict; and providing the amount of compensation to be allowed to road hands for teams, plows, scrapers and wagons, and providing for the condemnation of land for public road purposes; providing for the working of delinquent poll taxpayers residing in cities and towns as well as in the country on the roads, and relieving them from the performance of said work by the payment of the sum of three dollars; providing for the ages of male persons liable to serve as overseers and to work on the public roads of the county; providing for special road and bridge tax to be levied for Fayette, Uvalde and Frio Counties; and providing further, making this law cumulative of the General Laws, and in case of a conflict this Act to govern as to Fayette, Uvalde and Frio Counties, Texas, and to repeal special road law, Chapter 54, Acts 1891, Twenty-second Legislature, as to Fayette and Frio Counties, so that said sections shall hereafter read as hereinafter set forth."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Clark, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 376 put on its third reading and final passage by the following vote:

Yeas—23.

Alderdice.	Harley.
Buchanan of Bell.	Henderson.
Buchanan of Scurry.	Hudspeth.
Caldwell.	Johnson of Hall.
Clark.	Johnston of Harris.
Dayton.	King.
Dean.	Lattimore.
Gibson.	McNealus.
Hall.	Parr.

Robbins.	Westbrook.
Strickland.	Woodward.
Suiter.	

Absent.

Bailey.	Hopkins.
Bee.	McCollum.
Decherd.	Smith.
Floyd.	

Absent—Excused.

Page.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—24.

Alderdice.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	McNealus.
Dayton.	Parr.
Dean.	Robbins.
Gibson.	Smith.
Hall.	Strickland.
Harley.	Suiter.
Henderson.	Westbrook.
Hudspeth.	Woodward.

Absent.

Bailey.	Floyd.
Bee.	Hopkins.
Decherd.	McCollum.

Absent—Excused.

Page.

Senator Clark moved to reconsider the vote by which S. B. No. 376 was passed and table the motion to reconsider.

The motion to table prevailed.

Brief of Senate Bill No. 219 Omitted from Journal.

Senator Lattimore made the following motion in writing:

I move that the argument of the Attorney General and the attorneys for the railway companies on S. B. No. 219, which have been printed in the Journal for the information of the members of the Senate in acting on said bill, be not printed in the full Journal at the end of the session of the Senate.

LATTIMORE.

Senator McNealus moved to table

the motion, which motion was lost by the following vote:

Yeas—9.

Caldwell.	Harley.
Clark.	McNealus.
Dayton.	Parr.
Dean.	Strickland.
Hall.	

Nays—15.

Alderdice.	King.
Buchanan of Bell.	Lattimore.
Buchanan of Scurry.	Robbins.
Gibson.	Smith.
Henderson.	Suiter.
Hudspeth.	Westbrook.
Johnson of Hall.	Woodward.
Johnston of Harris.	

Absent.

Bailey.	Floyd.
Bee.	Hopkins.
Decherd.	McCollum.

Absent—Excused.

Page.

The motion of Senator Lattimore was then adopted.

House Bill No. 602.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

H. B. No. 602, A bill to be entitled "An Act creating the Buna Independent School District, known as Common School District No. 13, in Jasper County, Texas, and defining its boundaries, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator King, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 602 put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice.	Gibson.
Buchanan of Bell.	Hall.
Buchanan of Scurry.	Harley.
Caldwell.	Henderson.
Clark.	Hudspeth.
Dayton.	Johnson of Hall.
Dean.	Johnston of Harris.

King.	Smith.
Lattimore.	Strickland.
McNealus.	Suiter.
Parr.	Westbrook.
Robbins.	Woodward.

Absent.

Bailey.	Floyd.
Bee.	Hopkins.
Decherd.	McCollum.

Absent—Excused.

Page.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—23.

Alderdice.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	McNealus.
Dayton.	Parr.
Dean.	Smith.
Gibson.	Strickland.
Hall.	Suiter.
Harley.	Westbrook.
Henderson.	Woodward.
Hudspeth.	

Absent.

Bailey.	Hopkins.
Bee.	McCollum.
Decherd.	Robbins.
Floyd.	

Absent—Excused.

Page.

Senate Bill No. 304.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

S. B. No. 304, A bill to be entitled "An Act creating the Turkey Independent School District in Hall County, Texas; providing for a board of trustees and conferring upon said district and its board of trustees all rights, powers and privileges and duties now conferred and imposed by the General Laws of the State upon independent school districts and the board of trustees; to provide for the election of trustees, for the raising of revenue, issuing bonds, building and maintaining schoolhouses, maintaining public free schools, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Johnson of Hall, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 304 put on its third reading and final passage by the following vote:

Yeas—22.

Alderdice.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	McNealus.
Dayton.	Parr.
Gibson.	Smith.
Hall.	Strickland.
Harley.	Suiter.
Hopkins.	Westbrook.
Hudspeth.	Woodward.

Absent.

Bailey.	Floyd.
Bee.	Henderson.
Dean.	McCollum.
Decherd.	Robbins.

Absent—Excused.

Page.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—23.

Alderdice.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	McCollum.
Clark.	McNealus.
Dayton.	Parr.
Gibson.	Smith.
Hall.	Strickland.
Harley.	Suiter.
Henderson.	Westbrook.
Hudspeth.	Woodward.
Johnson of Hall.	

Absent.

Bailey.	Floyd.
Bee.	Hopkins.
Dean.	Robbins.
Decherd.	

Absent—Excused.

Page.

Senator Johnson of Hall moved to reconsider the vote by which S. B.

No. 304 was passed and table the motion to reconsider.

The motion to table prevailed.

Senate Bill No. 377.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

S. B. No. 377, A bill to be entitled "An Act to amend Section 1 of Chapter 58 of the Special Laws of the Regular Session of the Thirtieth Legislature of the State of Texas; creating the Huntsville Independent School District in Walker County, Texas, and defining its boundaries, and declaring an emergency."

The committee report that the bill be not printed was adopted.

Senator Dean offered the following amendment, which was read and adopted:

(1) Amend the bill by adding at the end of Section 1 the following: "all of the terms and provisions of the said Act creating the Huntsville Independent School District shall apply and be in force in the territory therefor as hereinabove enlarged and defined."

The bill was read second time and passed to engrossment.

On motion of Senator Dean, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 377 put on its third reading and final passage by the following vote:

Yeas—22.

Alderdice.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	King.
Clark.	McCollum.
Dayton.	McNealus.
Dean.	Parr.
Gibson.	Smith.
Hall.	Strickland.
Harley.	Suiter.
Henderson.	Woodward.

Absent.

Bailey.	Hopkins.
Bee.	Lattimore.
Decherd.	Robbins.
Floyd.	Westbrook.

Absent—Excused.

Page.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—22.

Alderdice.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	King.
Clark.	McCollum.
Dayton.	McNealus.
Dean.	Parr.
Gibson.	Smith.
Hall.	Strickland.
Harley.	Suiter.
Henderson.	Woodward.

Absent.

Bailey.	Hopkins.
Bee.	Lattimore.
Decherd.	Robbins.
Floyd.	Westbrook.

Absent—Excused.

Page.

Senator Dean moved to reconsider the vote by which S. B. No. 377 was passed and table the motion to reconsider.

The motion to table prevailed.

(Senator Gibson in the chair.)

House Bill No. 2.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

H. B. No. 2, A bill to be entitled "An Act to establish a State Highway Department, creating a State Highway Commission and the office of State Highway Engineer; prescribing the duties of the members of the Commission and of the engineer, and fixing the compensation of each; prescribing reciprocal duties for the Commission and for the commissioners courts; directing the Commission to plan and adopt a comprehensive system of State highways, and to promote the construction thereof by co-operation with the counties and by the commission; authorizing a policy of State aid to counties in road construction, and to the inauguration of a plan of rewards to the counties for the construction of the more durable types of highways; directing co-operation of the department with the Federal

Government in the utilization of any funds appropriated by Congress in aid of road construction in this State; authorizing the working of State prisoners on State highways under conditions that may be agreed upon by the Highway Commission and the Prison Commission and approved by the Governor; providing for the support of the department by State registration of all motor vehicles and motorcycles, and for the distribution to the counties of a part of the moneys received from such registration fees; providing for the furnishing of identification numbers to motor vehicles and motorcycles and prescribing penalties for the violation of the provision for registration and identification of such vehicles; making an appropriation to inaugurate the work of the department as provided in this Act, and declaring an emergency."

On motion of Senator Caldwell, the bill was laid on the table subject to call.

Simple Resolution No. 88.

(Requesting return of Senate Bill No. 264 and Senate Bill No. 265 from the House—By unanimous consent.)

By Senator Dean:

I move that the House be requested to return to the Senate Senate Bills 264 and 265, which were sent to the House by mistake and before being finally passed by the Senate.

The resolution was read and adopted.

House Bill No. 68.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

H. B. No. 68, A bill to be entitled "An Act to require the Governor of Texas to appoint an inspector of hides and animals in Nueces County, Texas, and to place said county under the provisions of Articles 7256 to 7304, both inclusive, Revised Civil Statutes of 1911, and providing for fees for inspector appointed by Governor, and declaring an emergency."

The committee report that the bill be not printed was adopted.

Senator Parr offered the following amendments, which were read and

adopted, being voted on separately:

(1) Amend H. B. No. 68 by striking out the following words in Section 1, after the word "successor" in the fourth line, to the end of the sentence, to wit: "Said inspector shall be entitled to receive for his services the sum of three cents for each hide and animal personally inspected."

(2) Amend H. B. No. 68 by inserting Sections 1a, 1b and 1c therein, as follows:

Sec. 1a. Any person violating any of the provisions of this Act or any of the provisions of said Articles 7256 and 7304, both inclusive, Revised Civil Statutes of 1911, in so far as the same relates to Neuces County, shall be fined in any sum not less than five (\$5.00) dollars nor more than twenty-five (\$25.00) dollars.

Sec. 1b. Said inspector shall collect the sum of ten cents for each hide and animal personally inspected by him or his deputies and in addition thereto shall collect the fees authorized to be collected under the provisions of Articles 7256 and 7304, both inclusive, Revised Civil Statutes of Texas, 1911. Said proceeds authorized to be collected by this Act by said inspector and by virtue of said Articles 7256 and 7304, both inclusive, Revised Civil Statutes of 1911, which fees by said last named articles are authorized to be collected and retained by said inspector shall be paid into the county treasury and pass into the general fund of said county, and the county commissioners court is hereby authorized to fix the salary of said inspector, provided the same be fixed at an amount not in excess of one hundred (\$100.00) dollars per month.

Sec. 1c. If said inspector shall violate any of the provisions of this Act or of said Articles 7256 to 7304, both inclusive, Revised Civil Statutes of 1911, he shall be fined in any sum not less than one (\$1.00) dollar nor more than twenty-five (\$25.00) dollars, and shall be removed from office by said county commissioners court for any of such violations.

(3) Amend H. B. No. 68 by inserting in the caption in the sixth line before the word "and" and after the word "Governor," the following: "providing for disposition of fees and punishment for violations."

The bill was read second time and passed to its third reading.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 68 put on its third reading and final passage by the following vote:

Yeas—21.

Alderdice.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	McCollum.
Dean.	McNealus.
Gibson.	Parr.
Hall.	Smith.
Harley.	Strickland.
Henderson.	

Absent.

Bailey.	Robbins.
Bee.	Sulter.
Decherd.	Westbrook.
Floyd.	Woodward.
Hopkins.	

Absent—Excused.

Page.

The bill was laid before the Senate, read third time and passed finally.

Senate Bill No. 176.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

S. B. No. 176, A bill to be entitled "An Act to authorize commissioners courts, in addition to the powers now granted to them, to make appropriations of money to regularly organized relief and charitable associations, for the support of indigents; requiring such associations to make annual reports to said courts, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Lattimore, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 176 put on its third reading and final passage by the following vote:

Yeas—21.

Alderdice.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	Lattimore.
Caldwell.	McCollum.
Clark.	McNealus.
Dayton.	Parr.
Dean.	Smith.
Gibson.	Strickland.
Hall.	Sulter.
Harley.	Woodward.
Hudspeth.	

Absent.

Bailey.	Hopkins.
Bee.	King.
Decherd.	Robbins.
Floyd.	Westbrook.
Henderson.	

Absent—Excused.

Page.

The bill was laid before the Senate, read third time and passed finally.

Senate Bill No. 247.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

S. B. No. 247, A bill to be entitled "An Act to amend Chapter 48 of the laws of the Regular Session of the Thirty-first Legislature, 1909, relative to the appointment of assistant district attorneys, prescribing the mode of appointment of district attorneys in districts containing a city of 39,000 population or more according to the United States census of 1910 and in which there is established no criminal district court, prescribing the qualification of such assistant district attorney, defining his duties and providing a method for his removal from office, fixing his salary, and declaring an emergency."

Senator Caldwell offered the following amendments, which were read and adopted, being voted upon separately:

(1) Amend the bill by striking out figures "39,000" in line 22, page 1, and insert in lieu thereof the figures "28,000."

(2) Amend S. B. No. 247 by striking out in lines 23 and 24, page 1, the words "and in which there is no criminal district court established by law."

(3) Amend the caption by striking out figures "39,000" in line 10 and insert in lieu thereof the figures "28,000."

(4) Amend the caption by striking out in lines 11 and 12 the words "and in which there is established no criminal district court."

The bill was read second time and passed to engrossment.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 247 put on its third reading and final passage by the following vote:

Yeas—21.

Buchanan of Scurry.	Johnson of Hall.
Caldwell.	Johnston of Harris.
Clark.	King.
Dayton.	Lattimore.
Dean.	McCollum.
Gibson.	McNealus.
Hall.	Parr.
Harley.	Smith.
Henderson.	Sulter.
Hopkins.	Woodward.
Hudspeth.	

Absent.

Alderdice.	Floyd.
Bailey.	Robbins.
Bee.	Strickland.
Buchanan of Bell.	Westbrook.
Decherd.	

Absent—Excused.

Page.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—21.

Buchanan of Scurry.	Johnson of Hall.
Caldwell.	Johnston of Harris.
Clark.	King.
Dayton.	Lattimore.
Dean.	McCollum.
Gibson.	McNealus.
Hall.	Parr.
Harley.	Smith.
Henderson.	Sulter.
Hopkins.	Woodward.
Hudspeth.	

Nays—1.

Strickland.

Absent.

Alderdice.	Decherd.
Bailey.	Floyd.
Bee.	Robbins.
Buchanan of Bell.	Westbrook.

Absent—Excused.

Page.

Senator Hudspeth moved to reconsider the vote by which S. B. No. 247 was passed and table the motion to reconsider.

The motion to table prevailed.

Senate Bill No. 224.

(By unanimous consent.)

The Chair laid before the Senate on second reading:

S. B. No. 224, A bill to be entitled "An Act to amend Title 86, Chapter 4, of the Revised Civil Statutes of 1911, by adding after Article 5644 a new Article to be entitled 5644a, providing for a lien for newspaper workers in the editorial or repertorial department of any newspaper, publication, or periodical, whether it be daily or otherwise, also any solicitor, clerk or other employe in the advertising business office of any newspaper, publication or periodical, whether it be daily or otherwise, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Harley, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 224 put on its third reading and final passage by the following vote:

Yeas—21.

Buchanan of Bell.	Hudspeth.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	Johnston of Harris.
Clark.	King.
Dayton.	Lattimore.
Dean.	McNealus.
Gibson.	Parr.
Hall.	Smith.
Harley.	Strickland.
Henderson.	Woodward.
Hopkins.	

Absent.

Alderdice.	McCollum.
Bailey.	Robbins.
Bee.	Suiter.
Decherd.	Westbrook.
Floyd.	

Absent—Excused.

Page.

The bill was laid before the Sen-

ate, read third time and passed finally.

Senate Bill No. 264.

(By unanimous consent.)

The Chair laid before the Senate on third reading:

S. B. No. 264, A bill to be entitled "An Act to authorize and permit W. A. Eastham, Duncan Eastham and Luther Eastham, Jr., as executors of and devisees under the last will of Mrs. Delha Eastham, deceased, to sue the State of Texas and the Prison Commissioners of the State of Texas, in the District Court of Walker County for damages for the breaches, if any, and failure, if any, to perform the duties and obligations, if any, arising out of the contract made between Mrs. Delha Eastham, then a widow, now deceased, and J. A. Herring, then superintendent, and J. C. Haynes, then financial agent, of the penitentiaries of the State of Texas, for the cultivation, with convict labor, of the farm of said Mrs. Delha Eastham, situated in Houston County, Texas, for the term of two years, beginning on the first day of January, A. D. 1910, and ending on the 31st day of December, A. D. 1911, which farm consists of about four thousand acres of cultivable land; and providing that no pleas of limitations shall be urged in bar of the cause of action alleged by the plaintiffs in said suit; and providing that no execution shall issue on the judgment, if any, rendered therein, but that such judgment shall be recognized as a valid claim by the Prison Commissioners; and providing for the manner of payment thereof."

Senator Caldwell offered the following amendment, which was read:

Amend S. B. No. 264 by striking out in line 32, page 1, the word "Walker" and insert in lieu thereof "Travis."

Pending.

Adjournment.

At 6:45 o'clock p. m., on motion of Senator Clark, the Senate adjourned until 10 o'clock tomorrow morning.

APPENDIX.

Petitions and Memorials.

Numerous telegrams from all over Texas were offered by Senator Smith protesting against Senate Bill No. 219, a railroad bill now pending.

Senator Sulter offered three numerous signed petitions opposing the optometry bill.

Senator Sulter offered a numerous signed petition against the chiropractic bill.

Senators McNealus, Smith and Sulter offered numerous signed petitions against the passage of a bill affecting the medicine men and reducing their taxation.

Senator Sulter sent up a petition opposing the passage of a bill prohibiting the use of automatic guns.

A petition from Tyler to Senator Sulter was offered supporting the car shed bill.

Senator Henderson sent up and had read a numerous signed petition requesting the Legislature to pass a law repealing the present delinquent tax law.

Senator Bee offered a petition from the stockholders and patrons of the Medina City Rural Phone Co., opposing the Dean telephone bill.

Senator Westbrook offered numerous signed petitions opposing Senate Bill No. 219.

A numerous signed petition from Dallas was sent up by Senator McNealus favoring the bill offered by Senator Johnson, pertaining to the Sunday closing law.

Senator Smith sent up a petition from the Woman's Club of Marshall, endorsing Senate Bill No. 159, an appropriation bill for rural sanitation work.

Senator Gibson offered a petition from Bonham, asking an investigation of the State University.

Senator Sulter offered a petition from Gilmer, Texas, opposing the resolution offered by Senator Dayton, recommending a location for the Armor Plate Plant. The petition was referred to Committee on Federal Relations.

Senator Dean sent up and had read a petition from Centerville, Texas, requesting the enactment into law an Act nullifying all land taxes, prior to and including 1907.

Engrossing Committee Reports.

Committee Room.

Austin, Texas, February 17, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 231 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room.

Austin, Texas, February 19, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 237 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room.

Austin, Texas, February 19, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 268 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room.

Austin, Texas, February 19, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 303 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room.

Austin, Texas, February 19, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 359 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room.

Austin, Texas, February 19, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 379 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, February 19, 1917.
Hon. W. P. Hobby, President of the
Senate.

Sir: Your Committee on Engrossed
Bills has had Senate Bill No. 234
carefully compared, and finds the
same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,
Austin, Texas, February 19, 1917.
Hon. W. P. Hobby, President of the
Senate.

Sir: Your Committee on Engrossed
Bills has had Senate Bill No. 14
carefully compared, and finds the
same correctly engrossed.

ALDERDICE, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, February 16, 1917.
Hon. W. P. Hobby, President of the
Senate.

Sir: We, your Committee on In-
surance and Banking, to whom was
referred

S. B. No. 300, A bill to be entitled
"An Act to regulate the operation of
motion picture shows, theatres and
places of amusement where motion
picture exhibitions are given; pro-
viding rules and specifications for the
construction of booths and the in-
stallation of motion picture machines
and other devices incident to motion
picture shows; providing regulations
for the arrangement of auditoriums,
audience rooms and halls, and the
seats, aisles, exits and lights therein,
in which motion pictures are shown;
providing for the inspection and li-
censing of motion shows or theatres
and fixing a fee for such inspection
and license; and making it the duty
of the Fire Marshal of the State Fire
Insurance Commission to supervise
motion picture shows or theatres or
places of amusement where motion
picture exhibitions are given, to the
extent of giving effect to the pro-
visions of this Act, and declaring an
emergency."

Have had the same under consid-
eration, and I am instructed to re-
port the same back to the Senate,
with the recommendation that it do
pass, with the following committee
amendments:

1. Amend Senate Bill No. 300 by

striking out sub-division (a) of Sec-
tion 2, and insert in lieu thereof the
following:

"(a). The booth must be securely
anchored to prevent dislodgement in
case of panic."

2. Amend Section 5 by inserting
therein, after sentence ending with
the word "alley" in line 14, the fol-
lowing:

"Provided, however, that where
any building or audience room is so
located and constructed that no exits
can be had therein other than the
main or front exits, then, in such
case, the picture machine booth shall
be placed in the end of said building
or audience room opposite said main
or front exit, and the entire front
space of said building or audience
room, practically available, shall be
maintained as an exit."

3. Amend Section 5 by inserting
after the word "wide" in the third
line from the end of said section, the
following:

"Provided that passageways, stair-
ways and inclines leading from bal-
cony exits or exits above the grade
floor may be only 42 inches wide."

4. Amend Section 7, line 5, by
striking out "twenty-eight" and in-
serting "thirty."

5. Amend Section 14 by adding
thereto as a continuation of said sec-
tion the following:

"Should the inspection fee pro-
vided by this section produce a great-
er sum than is necessary to pay all
expenses incurred by the State Fire
Marshal and his assistants in per-
forming the duties required of them
by this Act, during any year, the
State Fire Marshal shall reduce such
inspection fee for the succeeding
year, such reduction to apply uni-
formly throughout the State, so that
no more money will be collected than
is required to pay all necessary ex-
penses in a proper administration of
this Act."

6. Amend Section 16 by striking
out all of said section after the word
"public" in line 3.

7. Add a new section to be num-
bered "Section 20" and renumber
the emergency clause "Section 21,"
the new section to read as follows:

"It being the purpose of this Act
to safeguard both life and property
from fire and panic hazards inci-
dent to the operation of motion pic-
ture shows, the State Fire Marshal

and his assistants in the administration hereof shall place a liberal construction upon all the provisions of this Act, and minor, immaterial or fractional variations from the rules, regulations and specifications herein set forth which do not affect the reasonable safety of the public or unnecessarily expose either life or property to fire or panic hazards, shall not be considered violations of the provisions of this Act."

GIBSON, Chairman.

Committee Room,

Austin, Texas, February 19, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

H. B. No. 289, A bill to be entitled "An Act providing for the return of pension warrants where the pensioner dies during the quarter for which the warrant was issued, the cancellation of the same, and the issuance of a mortuary warrant to pay the funeral expenses of the deceased pensioner, etc., and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

McCOLLUM, Chairman.

Committee Room,

Austin, Texas, February 19, 1917.
Hon. W. P. Hobby, President of the Senate.

Sir, We, your Committee on State Affairs, to whom was referred

S. B. No. 351, A bill to be entitled "An Act to authorize and empower commissioners' courts to purchase poison and other accessories for the purpose of destroying the prairie dogs, rabbits, rats, coyotes, wolves, wildcats, gophers, ground squirrels, English sparrows and ravens; giving the commissioners' court the authority to sell at cost or give such poison to all persons residing in the county, to be used for such purpose, and providing procedure for the distribution and use of such poison, and creating an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

McCOLLUM, Chairman.

Committee Room.

Austin, Texas, February 19, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 339, A bill to be entitled "An Act creating a State Board and Department of Charities and Corrections, defining its powers and duties, authorizing it to license charitable and correctional institutions soliciting funds from the public and to charge a fee therefor; appropriating the fees so collected to the support of the department; authorizing the board to visit and inspect all charitable and correctional institutions supported in whole or in part by public funds, except those under the control of the Board of Prison Commissioners, requiring the collection of information and the making of annual and special reports to the Governor and the Legislature, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do pass.

McCOLLUM, Chairman.

Committee Room,

Austin, Texas, February 19, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

S. B. No. 369, A bill to be entitled "An Act granting to the City of Austin, for public purposes only, certain land lying between the Colorado River and outlots 1 and 11, in division "Z," in the City of Austin, Texas, upon certain terms and conditions; recognizing the lease heretofore made by the State of Texas of said land for the term thereof; providing for the forfeiture of said land to the State of Texas if used for other purposes than public purposes, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate, with the recommendation that it do pass.

McCOLLUM, Chairman.

Committee Room,
Austin, Texas, February 19, 1917.
Hon. W. P. Hobby, President of the
Senate.

Sir: We, your Committee on State
Affairs, to whom was referred.

S. B. No. 361, A bill to be entitled
"An Act to provide for the erection
of a monument to Lawrence Sullivan
Ross on the campus of the Agricul-
tural and Mechanical College; to
make an appropriation therefor, and
declaring an emergency,"

Have had the same under consid-
eration, and I am instructed to re-
port the same back to the Senate,
with the recommendation that it do
pass.

McCOLLUM, Chairman.

(Floor Report.)

Senate Chamber,
Austin, Texas, February 19, 1917.
Hon. W. P. Hobby, President of the
Senate.

Sir: We, your Committee on
Towns and City Corporations, to
whom was referred.

S. B. No. 391, A bill to be entitled
"An Act to amend Section 4 of an
Act of the Thirty-second Legislature
of Texas, passed at the Regular Ses-
sion thereof, being 'An Act to amend
the charter of the City of Gainesville,
by creating a board of water commis-
sioners for said city, to be appointed
by said city council, and prescribing
the powers and duties of such board,
and declaring an emergency,' relat-
ing to the control and disposition of
funds derived from the sale of water
and repealing all laws in conflict
herewith, and declaring an emer-
gency,"

Have had the same under consid-
eration, and beg leave to report same
back to the Senate, with the recom-
mendation that it do pass, and be not
printed.

Johnston of Harris, Chairman;
Hall, Suiter, King, Bee, Lattimore,
McCollum, McNealus.

(Floor Report.)

Senate Chamber,
Austin, Texas, February 19, 1917.
Hon. W. P. Hobby, President of the
Senate.

Sir: We, your Committee on Roads,
Bridges and Ferries, to whom was
referred

S. B. No. 385, A bill to be entitled
"An Act to create a more efficient
road law for Jim Wells County,
Texas, fixing the compensation of the
commissioners of Jim Wells County
when acting as ex officio road com-
missioners, and declaring an emer-
gency,"

Have had the same under consid-
eration, and beg leave to report the
same back to the Senate with the
recommendation that it do pass, and
be not printed.

Caldwell, Chairman; Buchanan of
Scurry, Strickland, Smith, Floyd,
Clark, Gibson.

(Floor Report.)

Senate Chamber,
Austin, Texas, February 19, 1917.
Hon. W. P. Hobby, President of the
Senate.

Sir: We, your Committee on
Roads, Bridges, and Ferries, to whom
was referred

S. B. No. 394, A bill to be entitled
"An Act to amend Section 16 of
Chapter 20 of Local and Special Laws
of the Thirty-first Legislature, 1909,
approved March 8, 1909, entitled 'An
Act to create a more efficient road
system for Lampasas County, Texas,
and making the commissioners of
said county ex officio road commis-
sioners in their respective precincts;
defining the powers and duties of the
commissioners' court with reference
to roads and bridges; providing for
the appointment of road overseers
and defining their duties, and pro-
viding penalties for the violation of
this Act; giving persons subject to
road duty in Lampasas County and
persons summoned to work on the
public roads of said county the right
to be relieved from the discharge of
such duty upon the payment of spe-
cific sums of money herein stipu-
lated; and providing for the account-
ing and disposition to be made of
the money so paid; providing that de-
linquent poll tax payers shall be sub-
ject to three days' road duty; requir-
ing the tax collector of Lampasas
County to furnish to the commis-
sioners' court a list of all persons
who fail to pay their poll tax; pro-
viding for the working of county con-
victs on the public roads of said
county; providing for the compensa-
tion of road commissioners; provid-
ing for an election to be held in said

county by the qualified tax paying voters of said county on petition, to determine whether or not an additional ad valorem tax for road and bridge purposes shall be levied and collected in said county; also giving the commissioners' court the power to establish, change, improve or discontinue public roads with or without petition and notice; and providing that this Act shall control in Lampasas County in all cases wherein it differs or is in conflict with the general laws on the subject of roads and making this Act cumulative, and declaring an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and that it be not printed.

Caldwell, Chairman; Buchanan of Scurry, Strickland, Smith, Floyd, Clark, Gibson.

(Floor Report.)

Senate Chamber,

Austin, Texas, February 19, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

H. B. No. 550, A bill to be entitled "An Act to create a more efficient road system for Caldwell County, providing for the employment of a county road superintendent, defining his duties, fixing his salary, providing for road keepers, etc., and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Caldwell, Chairman; Buchanan of Scurry, Strickland, Smith, Floyd, Clark, Gibson.

(Floor Report.)

Senate Chamber,

Austin, Texas, February 19, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

H. B. No. 516, A bill to be entitled "An Act to define the duties of county commissioners of San Patricio County, Texas, relating to the ap-

pointment and supervision of road overseers in defined road districts, and fixing the compensation of the commissioners of San Patricio County, Texas, when acting as ex officio road commissioners, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate, with the recommendation that it do pass, and that it be not printed.

Caldwell, Chairman; Buchanan of Scurry, Strickland, Smith, Floyd, Clark, Gibson.

(Floor Report.)

Senate Chamber,

Austin, Texas, February 19, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: -We, your Committee on Roads, Bridges and Ferries, to whom was referred

H. B. No. 259, A bill to be entitled "An Act to create a more efficient road system for McCulloch County, Texas; defining the powers and duties of the commissioners' court of said county in adopting such system, and providing for the condemnation of lands for opening, changing, widening, ditching, making embankments or fills, or draining water away from the public roads in said county; providing that the commissioners of said county be ex officio road commissioners, defining their powers and duties, and providing for their compensation; providing that road hands may be assigned to such roads as may be deemed best by the road commissioners of the precinct or the commissioners' court of said county; providing for road overseers to call out hands on twenty-four hours' notice, and providing for penalty for failure to call out hands when notified to do so; for the payment of overseers for working overtime; for the release of road hands by the payment of money; creating a penal offense for the obstruction of ditches or drainways and diverting surface water or streams into public roads of said county, and providing a penalty; making this law cumulative of the General Laws, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate, with the

recommendation that it do pass, and that it be not printed.

Caldwell, Chairman; Buchanan of Scurry, Strickland, Smith, Floyd, Clark, Gibson.

(Floor Report.)

Senate Chamber,
Austin, Texas, February 19, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 390, A bill to be entitled "An Act to amend an Act entitled 'An Act to provide for the establishment and maintenance of a State training school upon the cottage plan for dependent and delinquent girls of Texas, to locate same and provide for its control and management, and to make conditional appropriations and to provide for private, county and city donations for its establishment, and declaring an emergency,' which Act is known as Chapter 144 of the Acts of the Thirty-third Legislature, and making it an offense to persuade, coerce or employ any inmate of such institution, or any home selected by the authorities thereof for any girl committed to such institution, to leave such institution or home, and making it an offense to aid, advise, encourage or furnish means for any female to escape from said institution or to aid or facilitate such escape, or to hide or conceal any inmate after she has escaped, and providing for punishment therefor."

Have had the same under consideration, and beg leave to report the same back to the Senate, with the recommendation that it do pass, and be not printed.

Hall, Vice Chairman; Henderson, King, Strickland, Suiter, Hudspeth, Dayton, Lattimore, Westbrook.

(Floor Report.)

Senate Chamber,
Austin, Texas, February 19, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 389, A bill to be entitled

"An Act creating the Calvert Independent School District,"

Have had same under consideration, and beg to report the bill back to the Senate, with the recommendation that it do pass, and be not printed.

Bee, Chairman; Decherd, Alderdice, Floyd, Smith, Buchanan of Scurry, Lattimore.

(Floor Report.)

Senate Chamber,
Austin, Texas, February 19, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Public Printing, to whom was referred

H. B. No. 364, A bill to be entitled "An Act to require the publication in some newspaper of general circulation of all notices now required by law or contract to be given of any act or proceeding, whether public or private, or relating to a judicial, executive or legislative matter, which notice is now authorized by law or contract to be made by posting notices in one or more public places, fixing a time of such publication, and the compensation; repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do pass.

Floyd, Chairman; Johnston of Harris, McNealus, Johnson of Hall.

(Floor Report.)

Senate Chamber,
Austin, Texas, February 19, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

S. B. No. 396, A bill to be entitled "An Act to validate titles to school land which has been purchased on condition of settlement and residence in cases where the purchaser made settlement thereon, as required by law, and, before the expiration of three years from date of award, transferred the land but completed the occupancy and obtained a certificate of occupancy, and declaring an emergency,"

Have had the same under consideration, and beg to report it back to the Senate, with the recommendation that it do pass, and be printed in the Journal only.

Parr, Chairman; Buchanan of Scurry, Hudspeth, King, Buchanan of Bell, Johnson of Hall, Dayton, Hall.

By Hudspeth.

S. B. No. 396.

A BILL
To Be Entitled

An Act to validate titles to school land which has been purchased on condition of settlement and residence in cases where the purchaser made settlement thereon, as required by law, and, before the expiration of three years from date of award, transferred the land but completed the occupancy and obtained a certificate of occupancy; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. In all cases where public school land has been purchased from the State on condition of settlement thereon, as required by law, and before the expiration of three years from date of award transferred the land but completed the occupancy, the title under such purchase is hereby validated.

Sec. 2. The fact that the titles of some of the citizens of Texas to their lands are in jeopardy and the near approach of the end of the session and the volume of business in the Legislature creates an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days be suspended and that this Act take effect and be in force from and after its passage, and it is so enacted.

(Floor Report.)

Senate Chamber,

Austin, Texas, February 19, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 388, A bill to be entitled "An Act to create the Wharton Independent School District in Wharton County, Texas, including the present Wharton Independent School District, providing for a board of trustees in said Wharton Independent

School District, conferring upon said district and its board of trustees all of the rights, powers, privileges, and duties now conferred and imposed by the General Laws of Texas upon independent school districts and the board of trustees thereof, providing that the board of trustees of the present Wharton Independent School District shall be continued in office until the expiration of their respective terms, providing that the successors to the board of trustees of the present Wharton Independent School District shall be elected as provided by the General Laws of Texas for the election of trustees in independent school districts incorporated for school purposes only, providing that the passage of this Act shall not interfere with or invalidate any outstanding indebtedness of the present Wharton Independent School District, and declaring an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate, with the recommendation that it do pass, and be not printed.

Bee, Chairman; Alderdice, Bailey, Gibson, Dean, Lattimore, Dayton, Harley, Smith.

THIRTY-THIRD DAY.

Senate Chamber,

Austin, Texas,

Tuesday, February 20, 1917.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hudspeth.
Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	McCollum.
Clark.	McNealus.
Dayton.	Page.
Dean.	Parr.
Decherd.	Robbins.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Suiter.
Harley.	Westbrook.
Henderson.	Woodward.
Hopkins.	